

**TOMAS ESPINOSA, Esq.**  
Attorney at Law  
8324 Kennedy Blvd.  
North Bergen, NJ 07047  
Tel: (201) 223-1803/ Fax: (201) 223-1893  
E-mail: [drtomasespinosa@yahoo.com](mailto:drtomasespinosa@yahoo.com)

N.J. Bar.

N.Y. Bar.

November 6, 2013.

**The Honorable Robert P. Patterson, Jr. U.S.D.C.J.**  
United States District Court  
For the Southern District of New York  
500 Pearl Street, Room 2550  
New York, NY 10007

**Re: Anh Nguyet Tran, et als vs. Bank of New York et als.  
Civil Action No. 13-cv-580 ( R.P.P.)**

Dear Judge Patterson:

This office represents plaintiffs in the above mentioned action.

As per Your Honor's request at the hearing of yesterday, together with this letter you will find the copy of the pooling Service Agreement that you requested. The copy is the PSA of Elaine D. Phan and Michael Phan, two of the plaintiffs.

I use the opportunity to alert the court that in several of the statements made by me before Your Honor, I referred to J.P. Morgan as one of the defendants, when in fact, I meant Bank of New York Mellon, J.P. Morgan is not a party to this case. I alert the court about this, to avoid confusion.

Also, I referred to the letter sent to the Supreme Court of California and I stated that it was sent by J.P. Morgan's attorney, it was the same mistake as stated above, and it was sent by the attorney of Deutsche Bank National Trust Company, Bernard J. Garbutt, III, and certified by Lynda Rosenblatt, Esq. The letter sought depublication of Glaski.

The letter stated that her client is a defendant in both the Rajamin case that is on appeal and in my clients' case before Your Honor. No copy of the letter was provided by her to me when she made the submission to the California Supreme Court seeking depublication. We learned because a California Source alerted us and we responded to Mr. Garbut III submission by sending a letter in opposition to the California Supreme Court with copy to the office of the attorney for Deutsche Bank (who was Mr. Garbutt and Ms. Rosenblatt)

I hereby submit to the court a copy of Mr. Garbutt, III's letter and a copy of my response.

Clearly, Glaski and Erobobo, are problematic to defendant Deutsche Bank National Trust Company that it sought to affect the two New York cases Rajamin (on appeal) and the present case before Your Honor without notice to us.

I do not know if the notice was given by Mr. Garbutt to his opposing counsel in David Rajamin but no indication in the letter shows that this was done. However, from the list of persons served with copies of Mr. Garbutt letter that was made part of his Supreme Court of California filing no notice was given.

Thanks in advance for Your Honor's attention to this matter.

Respectfully submitted,



Tomas Espinosa, Esq.

TE/ve.

Via E-Mail

**Bryan Cave, LLP**

Cc: Christine B. Cesare, Esq. cbc cesare@bryancave.com  
Cc: Scott H. Kaiser, Esq. scott.kaiser@bryancave.com  
Cc: Nafiz Cekirge, Esq. nafiz.cekirge@bryancave.com

**Dorsey & Whitney, LLP**

Cc: Eric R. Sherman, Esq. sherman.eric@dorsey.com  
Cc: Christopher G. Karazheuzoff, Esq. karagheuzoff.chris@dorsey.com

**Morgan, Lewis & Bockius, LLP**

Cc: Bernard J. Garbutt, III bgarbutt@morganlewis.com  
Cc: Thomas J. Sullivan, Esq. tsullivan@morganlewis.com

**Hogan Lovells US, LLP**

Cc: Brian S. McGrath, Esq. brian.mcgrath@hoganlovells.com  
Cc: Lisa J. Fried, Esq. lisa.fried@hoganlovells.com  
Cc: Allison J. Schoenthal, Esq. allison.schoenthal@hoganlovells.com